

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Timothy P. McKee)	
)	Examiner: Van H. Nguyen
Application No.: 10/692,324)	
)	Art Unit: 2194
Filed: October 23, 2003)	
)	Attorney Docket: 003797.01266
For: EXTENSIBLE USER CONTEXT SYSTEM)	
FOR DELIVERY OF NOTIFICATIONS)	Confirmation No. 8607
)	

RESPONSE TO REQUIREMENT FOR INFORMATION

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

The present paper is responsive to the Request for Information under 37 CFR 1.105, mailed October 26, 2006 in the above-identified application, and is being filed during the Shortened Statutory Period set for response, which is due to expire on December 26, 2006. Accordingly, no fees are believed due in connection with this filing, but if any such fees are due, please charge such fees to Deposit Account No. 19-0733.

The various Information Disclosure Statements (IDSs) that Applicants have filed in this application were filed to disclose references that have been cited in one or more other patent applications that describe subject matter that is similar to that disclosed in this application. Given the volume of references, Applicants have not been able to compare these references with the currently-pending claims in this application to determine the potential relevancy or materiality of any individual reference, and Applicants cannot readily obtain the specific analysis and stipulations requested. Applicants submitted these references in view of the MPEP's preference for submitting information. See MPEP 2004 ("10. When in doubt, it is desirable and safest to submit information. Even though the attorney, agent, or applicant doesn't consider it

necessarily material, someone else may see it differently and embarrassing questions can be avoided.”).

Applicants enclose a copy of an International Preliminary Examination Report, which applied Klein et al. (U.S. Patent No. 5,499,364, cited in IDS of November 30, 2005) against the claims of the international application PCT/US03/15717, which relates to the present application.

Additionally, the International Search Report (ISR) that preceded the IPER noted above is also enclosed. The ISR cited the Klein et al. reference as particularly relevant, and the following (all of which are cited in the IDS of 11/30/2005) as being generally relevant:

- Sandelman (U.S. Patent No. 6,147,601)
- Poliquin et al. (U.S. Patent No. 5,696,486)
- Cote et al. (U.S. Patent No. 6,021,262)

Applicants also note that the following co-pending patent applications describe features that are related to one another, and may be of interest to the Examiner:

- 11/106,724
- 11/106,723
- 11/106,714
- 11/111,989
- 10/403,174
- 10/420,040
- 10/395,533
- 10/395,560
- 10/402,075
- 10/440,035
- 10/693,666
- 10/831,145
- 10/830,224
- 10/403,341
- 10/403,175
- 10/440,431
- 10/691,841

- 10/887,085
- 10/729,841
- 10/831,487
- 11/111,972
- 11/108,743
- 11/111,990
- 11/111,968
- 11/111,984
- 11/111,962
- 11/112,010
- 11/110,770
- 11/112,330
- 11/186,827
- 11/192,101
- 11/186,825
- 11/111,967
- 11/111,978
- 11/111,973
- 11/213,840
- 11/213,841
- 11/179,776
- 11/179,804
- 11/379,732

If the examiner desires additional information regarding the above, the examiner is invited to telephone the Applicants' undersigned representative at the number appearing below.

Date: December 26, 2006

Respectfully submitted,

By: /Steve Chang/
Steve S. Chang
Registration No. 42,402

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PATENT COOPERATION TREATY

To: CME

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
GEORGE S. FARBER
CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE, SUITE 2800
SEATTLE, WA 98101

**PROCESSED
DOCKETING**

DEC 28 2005

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

(PCT Rule 71.1)

CHRISTENSEN, O'CONNOR
JOHNSON & KINDNESS

21 DEC 2005

Applicant's or agent's file reference

MSFTF-121107

TRANSAT

IMPORTANT NOTIFICATION

International application No.

PCT/US03/15717

International filing date (day/month/year)

15 May 2003 (15.05.2003)

Priority date (day/month/year)

26 March 2003 (26.03.2003)

Applicant

MSFT-5-10347(4)

MICROSOFT CORPORATION

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Mail Stop PCT, Attn: IPEA/ US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3201

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WILLIAM THOMSON

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MSFTF-121107	FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US03/15717	International filing date (<i>day/month/year</i>) 15 May 2003 (15.05.2003)	Priority date (<i>day/month/year</i>) 26 March 2003 (26.03.2003)	
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 9/46 and US Cl.: 719/318; 718/108			
Applicant MICROSOFT CORPORATION			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>—</u> sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 08 October 2004 (08.10.2004)		Date of completion of this report 12 December 2005 (12.12.2005)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201		Authorized officer WILLIAM THOMSON Telephone No. (571) 272-3718	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/15717

I. Basis of the report

1. With regard to the **elements** of the international application:*

- ☒ the international application as originally filed.
- ☒ the description:
pages 1-18 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 19-26, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the drawings:
pages 1-10, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages none
- ☒ the claims, Nos. none
- ☒ the drawings, sheets/~~fig~~ none

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/15717**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. STATEMENT

Novelty (N)	Claims <u>2-22, 24-36, 38-46, 48-56, 58-62, 64-67</u>	YES
	Claims <u>1, 23, 37, 47, 57, 63</u>	NO
Inventive Step (IS)	Claims <u>2-22, 24-36, 48-56, 58-62, 64-67</u>	YES
	Claims <u>1, 23, 37, 47, 57, 63</u>	NO
Industrial Applicability (IA)	Claims <u>1-67</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1, 23, 37, 47, 57 and 63 lack novelty under PCT Article 33(2) as being anticipated by Klein et al (US Patent 5,499,364 A) in that Klein teaches declaring a first condition/context that can be in at least a first or second / true or false state (TrueCondition, FalseCondition), providing a first delivery instruction (send event notification), receiving notification from a plurality of sources (external events on which the local events are dependent) and controlling the delivery of the notification in accordance with the first delivery instruction when the first condition is determined to be in its first state (set of state transition dependencies), and determining what should be done with the notification (inspect information in local knowledge database to determine whether to send notification). See col. 3, line 18 - col. 4, line 8; col. 7, line 50 - col. 9, line 7.

Claims 1-67 meet the criteria set out in PCT Article 33(4), and thus having industrial applicability because the subject matter claimed can be made or used in industry.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US03/15717

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) :G06F 9/46

US CL :709/318

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 709/318, 108

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5,499,364 A (KLEIN et al) 12 March 1996, col. 4, line 36 - col. 19, line 35.	1, 23, 37, 47, 57, 63
A	US 6,147,601 A (SANDELMAN et al) 14 November 2000, col. 3, line 40 - col. 8, line 49.	1-22, 24-36, 38-46, 48-56, 58-62, 64-67
A	US 5,696,486 A (POLIQUIN et al) 09 December 1997, col. 5, line 32 - col. 16, line 27.	1-22, 24-36, 38-46, 48-56, 58-62, 64-67
A	US 6,021,262 A (COTE et al) 01 February 2000, col. 3, line 66 - col. 9, line 13.	1-22, 24-36, 38-46, 48-56, 58-62, 64-67



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:	"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means		
"P" document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

05 AUGUST 2003

Date of mailing of the international search report

26 AUG 2003

Name and mailing address of the ISA/US
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